

**AMENDMENT IN THE NATURE OF A SUBSTITUTE**  
**TO H.R. 5472**  
**OFFERED BY MR. BARTON OF TEXAS**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “National Breast and  
3 Cervical Cancer Early Detection Program Reauthorization  
4 Act of 2006”.

**5 SEC. 2. NATIONAL BREAST AND CERVICAL CANCER EARLY**  
**6 DETECTION PROGRAM.**

7       Title XV of the Public Health Service Act (42 U.S.C.  
8 300k et seq.) is amended—

9           (1) in section 1501(d)—

10               (A) in the heading, by striking “2000” and  
11               inserting “2020”; and

12               (B) by striking “by the year 2000” and in-  
13               serting “by the year 2020”;

14           (2) in section 1503, by adding at the end the  
15       following:

16       “(d) WAIVER OF SERVICES REQUIREMENT ON DIVI-  
17       SION OF FUNDS.—

1           “(1) IN GENERAL.—The Secretary may waive  
2           the requirements of paragraphs (1) and (4) of sub-  
3           section (a) if the Secretary finds that—

4                   “(A)(i) the State involved will use the  
5                   waiver to leverage private funds to supplement  
6                   each of the services or activities described in  
7                   paragraphs (1) and (2) of section 1501(a); or

8                   “(ii) the application of such requirements  
9                   would result in a barrier to the participation of  
10                  qualifying women in the services or activities  
11                  described in paragraphs (1) and (2) of section  
12                  1501(a);

13                  “(B) granting such a waiver to the State  
14                  will not reduce the number of women in the  
15                  State who receive any of the services or activi-  
16                  ties described in paragraphs (1) and (2) of sec-  
17                  tion 1501(a), including screening procedures for  
18                  both breast and cervical cancers; and

19                  “(C) granting such a waiver to the State  
20                  will not adversely affect the quality of any of  
21                  the services or activities described in para-  
22                  graphs (1) and (2) of section 1501(a).

23           “(2) DURATION OF WAIVER.—

24                   “(A) IN GENERAL.—In granting waivers  
25                  under paragraph (1), the Secretary—

1 “(i) shall grant such waivers for a pe-  
2 riod of 2 years; and

3 “(ii) upon request of a State, may ex-  
4 tend a waiver for additional 2-year periods  
5 in accordance with subparagraph (B).

6 “(B) ADDITIONAL PERIODS.—The Sec-  
7 retary, upon the request of a State that has re-  
8 ceived a waiver under paragraph (1), shall, at  
9 the end of each 2-year waiver period described  
10 in subparagraph (A), review performance under  
11 the waiver and may extend the waiver for an  
12 additional 2-year period if the Secretary finds  
13 that—

14 “(i)(I) the State involved will use the  
15 waiver to leverage private funds to supple-  
16 ment each of the services or activities de-  
17 scribed in paragraphs (1) and (2) of sec-  
18 tion 1501(a); or

19 “(II) without an extension of the  
20 waiver, the application of the requirements  
21 of paragraphs (1) and (4) of subsection (a)  
22 would result in a barrier to the participa-  
23 tion of qualifying women in the services or  
24 activities described in paragraphs (1) and  
25 (2) of section 1501(a);

1 “(ii) the waiver has not reduced, and  
2 granting the waiver extension will not re-  
3 duce, the number of women in the State  
4 who receive any of the services or activities  
5 described in paragraphs (1) and (2) of sec-  
6 tion 1501(a); and

7 “(iii) the waiver has not adversely af-  
8 fected, and granting the waiver extension  
9 will not adversely affect, the quality in the  
10 State of any of the services or activities de-  
11 scribed in paragraphs (1) and (2) of sec-  
12 tion 1501(a).

13 “(3) REPORTING REQUIREMENTS.—The Sec-  
14 retary shall include as part of the evaluations and  
15 reports required under section 1508, the following:

16 “(A) A description of the total amount of  
17 dollars leveraged annually from private entities  
18 in States receiving a waiver under this sub-  
19 section and how these amounts were used.

20 “(B) With respect to States receiving a  
21 waiver under this subsection, a description of—

22 “(i) the percentage of the grant that  
23 is expended on services or activities de-  
24 scribed in paragraphs (1) and (2) of sec-  
25 tion 1501(a); and

1 “(ii) the percentage of the grant that  
2 is expended on services or activities de-  
3 scribed in paragraphs (3) through (6) of  
4 section 1501(a).

5 “(C) A description of the number of States  
6 receiving waivers under this subsection annu-  
7 ally.

8 “(D) With respect to States receiving a  
9 waiver under this subsection, a description of  
10 the number of women receiving services under  
11 paragraphs (1), (2), and (3) of section 1501(a)  
12 in programs before and after the granting of  
13 such waiver.”;

14 (3) in section 1504(a), by striking “pursuant to  
15 paragraphs (1) and (2) of section 1501(a)” and in-  
16 serting “pursuant to paragraphs (1), (2), and (3) of  
17 section 1501(a)”; and

18 (4) in section 1510(a)—

19 (A) by striking “and” after “\$150,000,000  
20 for fiscal year 1994,”; and

21 (B) by inserting “, and \$250,000,000 for  
22 each of fiscals year 2007 through 2011” before  
23 the period at the end.

Amend the title so as to read: “A bill to amend the Public Health Service Act to reauthorize the National Breast and Cervical Cancer Early Detection Program, and for other purposes.”.